

1/27/11 3:07:55
DK W BK 651 PG 133
DESOTO COUNTY, MS
W.E. DAVIS, CH CLERK

PERMANENT UTILITY EASEMENT
TEMPORARY CONSTRUCTION EASEMENT

<u>GRANTEE:</u>	Beverly Kimbrough	<u>GRANTOR:</u>	City of Southaven, Mississippi
	4339 Proctor Lane	<u>(RETURN)</u>	8710 Northwest Drive
	Memphis, TN 38118		Southaven, MS 38671
	901.409.1342		662.280.2489
	HM TEL. N/A		

INDEXING INSTRUCTIONS: NW ¼ SECTION 29, T2S, R7W, DESOTO COUNTY, MS

INSTRUMENT PREPARED BY:


Jonessa Carter Hicks, Esq. (MSB #103287)

Rozier Hayes, PLLC
2091 Old Taylor Road, Ste. 102
PO Box 2388
Oxford, MS 38655
Telephone: 662.234.0065
Facsimile: 662.234.3007

RETURN TO: CITY OF SOUTHAVEN
* 8710 NORTHWEST DR.
SOUTHAVEN, MS. 38671

STATE OF MISSISSIPPI
COUNTY OF DESOTO

PERMANENT UTILITY EASEMENT
TEMPORARY CONSTRUCTION EASEMENT

THIS INDENTURE, made and entered into on this the 30th day of November, 2010, by and between Beverly Kimbrough party of the first part, and the CITY OF SOUTHAVEN, MISSISSIPPI, a municipal corporation and body politic, party of the second part.

WITNESSETH:

That the party of the first part, for and in consideration of the sum of Ten Dollars (\$10.00) cash in hand paid by the party of the second part, the receipt whereof is hereby acknowledged, and other good and valuable considerations hereinafter recited, does hereby give, grant and convey unto the part of the second party, its successors and assigns, a permanent utility easement along, across or under the hereinafter described property to be used as a general utility easement by the City of Southaven, Mississippi, and a temporary construction easement along, across or under lands of the part of the first part, all situated in DeSoto County, Mississippi and described as follows, to-wit:

A forty (40) foot wide **permanent utility easement** located in the Northwest Quarter (NW ¼) of Section 29, Township 2 South, Range 7 West, DeSoto County, Mississippi being twenty (20) feet either side of the centerline of a proposed sanitary sewer line more particularly described as:

Said centerline begins on the South property line of the Baptist Property, as recorded in Deed Book 23, Page 456, on file in the Chancery Clerk's Office of DeSoto County, Mississippi, 272 feet, more or less, West of the Southeast corner along the South property line of the Baptist property, as recorded in Deed Book 23, Page 456, on file in the Chancery Clerk's Office, DeSoto County, Mississippi, thence N 44°07'18" E a distance of 360.62 feet, more or less to a manhole; thence N 90°00'00" E a distance of 19.24 feet, more or less to the West ROW of Baptist Road and Ease property line of Baptist property and containing 0.35 acres, more or less.

TOGETHER WITH a fifteen (15) foot wide **temporary easement** located along, adjoining and North of the above described permanent utility easement and containing 0.15 acres, more or less.

TOGETHER WITH a fifteen (15) foot wide **temporary easement** located along, adjoining and South of the above described permanent utility easement and containing 0.11 acres, more or less.

TOGETHER WITH all rights and privileges necessary or convenient for the full enjoyment or use thereof, including the right of ingress and egress to and from said easement;

The temporary construction easement conveyed hereby shall be effective upon the date of execution hereof, but shall terminate upon the completion date of the utility project by the City of Southaven, Mississippi.

Party of the second part agrees to restore the easement area granted herein to its original condition. The consideration recited herein shall constitute payment in full for all damages sustained by Grantors by reason for the installation of the structures referred to herein and grantee will maintain such easement in a state of good repair and efficiency so that no unreasonable damage will result from its use of the grantor's premises. This agreement together with other provisions of this grant shall constitute a covenant running with the land for the benefit of the Grantee, its successors and assigns. The Grantors do covenant that they are the Owners of the above mentioned land and that said land is free and clear of all

encumbrances and liens except the following:

IN WITNESS THEREOF, the party of the first part hereunto subscribed their names on the date first above written.

x Beverly Kimbrough
 Name Beverly Kimbrough
 Address 4339 Proctor Ln
Memphis, TN 38118
 Telephone 901 409-1342

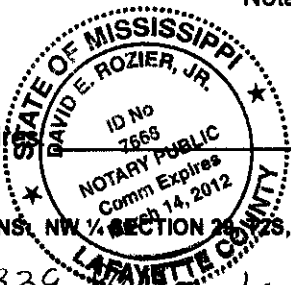
STATE OF MISSISSIPPI
COUNTY OF DESOTO

This day personally appeared before me, the undersigned authority in and for said county and state, the within named Beverly Kimbrough who acknowledged that he/she is a fee simply owner of the above mentioned property, and that he executed the above and foregoing instrument on the day and year therein mentioned for the purposes therein expressed.

Given under my hand and official seal of office this the 30th day of November, 2010.


 Notary Public

My Commission expires



INDEXING INSTRUCTIONS: NW 1/4 SECTION 26, T2S, R7W, DESOTO COUNTY, MS

Grantor's Address: 4339 Proctor Ln
Memphis TN 38118

Grantee's Address: 8710 Northwest Dr.
 Southaven, MS 38671

INSTRUMENT PREPARED BY:

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